

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant(s) : Mark Levine et al.  
Serial No. : 10/699,997  
For : DURABLE HIGHLY CONDUCTIVE SYNTHETIC  
FABRIC CONSTRUCTION  
Filing Date : November 3, 2003  
Examiner : Andrew T. Piziali  
Group Art Unit : 1794  
Confirmation No. : 5362

745 Fifth Avenue  
New York, NY 10151

**FILED VIA EFS-WEB**  
**ON October 3, 2008**

**NOTICE OF APPEAL UNDER 37 C.F.R. § 41.31**  
**WITH APPLICANTS' PRE-APPEAL BRIEF REQUEST FOR REVIEW &**  
**REQUEST FOR ONE-MONTH EXTENSION OF TIME**

**MAIL STOP AF**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir or Madam:

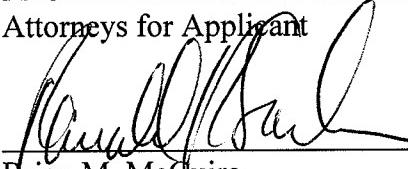
Applicants hereby appeal to the Board of Patent Appeals and Interferences from the Examiner's decision in the Final Office Action mailed June 12, 2008, finally rejecting claims 1-4, 7-14, 16, 17, 19, 20, 22-24, 27-34, and 36-40. This Notice of Appeal is submitted in accordance with 37 C.F.R. § 41.31 and is accompanied by the requisite fee of \$510.00 for a large entity as set forth in 37 C.F.R. § 41.20. Filed concurrently with this Notice of Appeal is Applicants' separate paper entitled, "Pre-Appeal Brief Request for Review."

**PETITION FOR EXTENSION OF TIME**

Pursuant to 37 C.F.R. § 1.136, a one-month extension of the period for reply, i.e. up to and including October 12, 2008, is respectfully requested. A credit card payment for \$120.00 of the fee under 37 C.F.R. § 1.17(a) is enclosed. Please charge any additional fees required for the Notice of Appeal, or otherwise occasioned by this paper or credit any overpayments to Deposit Account No. 50-0320.

Respectfully submitted,  
FROMMER LAWRENCE & HAUG LLP  
Attorneys for Applicant

By:

  
\_\_\_\_\_  
Brian M. McGuire  
Reg. No. 55,445  
Ronald R. Santucci  
Reg. No. 28,988  
Telephone No.: (212) 588-0800  
Facsimile No.: (212) 588-0500